

DAVID BURCHARD  
CHAPTER 13 TRUSTEE  
P.O. BOX 8059  
FOSTER CITY, CA 94404  
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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

In re:

SUZANNE HOO  
366 BLUEFISH COURT  
SAN MATEO, CA 94404

###-##-1560

Debtor(s).

Case No.: 10-3-1530 SFC13

Chapter 13

**THIRD AMENDED** OBJECTION TO  
CONFIRMATION, WITH A MOTION TO  
DISMISS, OF THE CHAPTER 13 PLAN, BY  
DAVID BURCHARD, CHAPTER 13 TRUSTEE  
AND NOTICE

**CONFIRMATION HEARING:**

Date: 10/13/2010

Time: 09:30 AM

Place: United States Bankruptcy Court  
235 Pine Street 23rd Floor  
San Francisco, California

DAVID BURCHARD, Chapter 13 Trustee in the above-entitled action, hereby objects to Confirmation of the Chapter 13 Plan proposed hereunder by Debtor(s) for the following reason(s).

1. Trustee is in receipt of a proof of claim from the Internal Revenue Service for secured debt in the amount of \$24,112.00. This claim is apparently omitted from Debtor's plan. Should this claim be allowed, Debtor's plan would be insufficient to pay all secured, priority and administrative claims, and therefore, the Debtor's plan is not feasible. Trustee requests an amended plan, which pays this claim.
2. Trustee is in receipt of a proof of claim from the Franchise Tax Board for priority debt in the amount of \$4,577.73 and secured debt of \$1,374.01. This claim is apparently omitted from Debtor's plan. Should this claim be allowed, Debtor's plan would be insufficient to pay all secured, priority and administrative claims, and therefore, the Debtor's plan is not feasible. Trustee requests an amended plan, which pays this claim.
3. Paragraph 6D of Debtor's First Amended Plan provides for two claims to the State Board of Equalization in the amount of \$115,000.00, while only one claim is listed in the schedules. Trustee requests the appropriate document be amended in order that they are accurate and consistent.
4. Question 18 of the Statement of Financial Affairs indicates that Debtor owns a business while Debtor's Schedule I fails to reflect income from the operation of business. The Trustee requests clarification, or that the appropriate documents are amended in order that they are accurate and consistent.

5. Schedule J lists a monthly expense of \$1,800.00 for pr tax: \$800/inc tax \$1,000. Trustee requests verification of this expense.
6. Trustee requests Debtor provide appropriate declaration that details Debtor's rental income and social security income for the six months prior of the bankruptcy.
7. At the 341 Meeting of Creditors, Debtor testified that she did not file Federal and State Income Taxes for the years 2007 and 2008. The Trustee requests verification that these returns have been filed.
8. At the 341 Meeting of Creditors, Debtor testified that she did not have any ownership in the OS Investment, LLC. The Trustee requests verification.
9. At the 341 Meeting of Creditors, Debtor testified that Gourmet Enterprise, LLC has been inactive since January 2010 and that she has not received any business income since January 2010. The Trustee requests verification.

PLEASE TAKE NOTICE that, without prior notice, at the above-referenced confirmation hearing date assigned to your Chapter 13 case, the Court may DISMISS the above-referenced case upon making a determination that Debtor(s) has/have not presented a feasible Plan, Debtor(s) has/have not made the required payments under the Plan, Debtor(s) has/have violated the statutory debt limitations set for a Chapter 13 case, Debtor(s) has/have not filed this proceeding in good faith, Debtor(s) has/have not provided documents and/or Schedules and Plan as required under the Bankruptcy code, and/or Debtor(s) has/have not provided the Trustee with Payment Advices or Declarations, as required by the written Order Re: Payment Advices in Chapter 13 Cases, dated September 26, 2006.

Dated: September 23, 2010

DAVID BURCHARD

DAVID BURCHARD, Chapter 13 Trustee

Certificate of Mailing

I, LILIAN TSANG, the undersigned, certify that:

I am over the age of 18 years and not a party to this action. I am employed by the Trustee whose business address is 393 Vintage Park Drive, Suite #150, Foster City, CA. On the date set forth below, I served a copy of the Objection to Confirmation, with a Motion to Dismiss, of the Chapter 13 Plan, by David Burchard, Chapter 13 Trustee and Notice, and this Certificate of Mailing, on the persons listed below by following our ordinary business practice for service, which is either deposited in the ordinary course of business with the U.S. Postal Service by first class mail or served by electronic transmission from the Court, if applicable. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

SUZANNE HOO  
366 BLUEFISH COURT  
SAN MATEO, CA 94404

ROBERT T. KAWAMOTO  
234 VAN NESS AVE  
SAN FRANCISCO, CA 94102-4515

United States Trustee  
235 Pine Street, Suite 700  
San Francisco, CA 94104

Dated: September 23, 2010

LILIAN TSANG

LILIAN TSANG